

REMARKS**Response to Claim Rejections Under 35 U.S.C. §102**

Claims 1-4, 18, 19, 27,31 and 40 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Mollenauer (U.S. Pat. No. 5,593,418). Mollenaure, however, does not disclose or suggest a device having a tissue expander which has an expanded configuration with greater transverse dimensions than the separated tissue which allows for the removal of a tissue mass through a tissue passageway leading to the separated tissue mass which has smaller transverse dimensions than the tissue mass itself. The reference cited discloses a device used to harvest veins or other elongate structures rather than to remove a tissue mass with a significantly sized transverse cross section. With the Mollaneauer device the tissue mass removed does not have larger transverse dimensions than the passageway which is the purpose of the applicants device.

Response to Indication of Allowable Subject Matter

The applicants note with appreciation the indication that Claim 20 is directed to patentable subject matter. However, in view of the above amendments to the claims under consideration by the Examiner, applicants believe that all of the considered claims are directed to patentable subject matter.

Reconsideration of the pending claims and an early allowance thereof are earnestly solicited. In the event that the claims under consideration are found allowable, reconsideration of the withdrawn claims are respectfully requested.

Respectfully submitted,

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